

Title 132 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 13 - SPECIAL WASTES

001 No person shall dispose of a special waste at any place except a permitted solid waste disposal area which is operated and maintained in compliance with Department regulations and authorizations, unless the Department grants prior written approval for an alternate location and management method.

002 Classification. Wastes shall be classified as special wastes by the Department on a case-by-case basis. The Department shall make a determination based upon the characteristics and properties of the solid waste. The Department's determination shall be based upon the following information:

002.01 A general description of the waste;

002.02 The source of the waste, including the name and address of the generator;

002.03 A description of the industrial process which results in the waste, if applicable;

002.04 The quantity of the waste to be disposed (volume and/or weight);

002.05 A detailed description or analyses of the physical properties of the waste including, but not limited to size, density, and percent solids, if applicable;

002.06 A detailed description or analyses of the chemical properties of the waste including, but not limited to, pH, reactivity, leachability and total metals, if applicable;

002.07 A description or analyses of the biological properties of the waste, if applicable, including but not limited to, pathogens;

002.08 The liquid content, if any, of the waste;

002.09 A description of the method and location of the proposed disposal; and

002.10 Any other information about the waste as required by the Department in order to make a determination.

003 Alternate management methods. The Department shall grant prior written approval for alternate locations and management methods for special wastes based on an evaluation of the characteristics and properties of the waste and the suitability of the location and management method proposed. This evaluation will be based on, but not limited to, the following criteria:

003.01 Distance from inhabited residences, businesses, or facilities/lands frequented by the public;

003.02 Distance from drinking water wells (municipal, domestic, etc.);

003.03 Distance from any surface water features (ponds, lakes, streams, etc.);

003.04 Location within a 100-year flood plain or within areas designated as wetlands;

003.05 Location within a designated wellhead protection area, or other Title 118 - Ground Water Quality Standards and Use Classification Class GA areas;

003.06 Soil type, permeability and slope of land;

003.07 Depth to ground water; and

003.08 Any other information about the location or management method as required by the Department.

004 Infectious wastes. Infectious wastes shall not be disposed of at any solid waste disposal area unless such wastes are first rendered non-infectious by incineration, autoclaving, or other treatment method. This provision does not apply to infectious waste from households.

005 Delisted wastes. The Director may require the disposal of delisted wastes in a delisted waste disposal area as deemed necessary to protect human health and the environment.

Enabling Legislation: Neb. Rev. Stat. §§81-1504(1)(2)(12)(13); 81-1505(1)(13); 81-1506(1)(a); 81-1514

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